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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. STATE ALLOCATION BOARD

NOTICE OF PROPOSED REGULATORY ACTION

THE STATE ALLOCATION BOARD PROPOSES TO AMEND REGULATION SECTIONS 1859.2, 1859.121, 1859.122, 1859.127 AND 1859.129, ALONG WITH AN ASSOCIATED FORM, TITLE 2, CALIFORNIA CODE OF REGULATIONS, RELATING TO LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend the above-referenced regulation sections, along with an associated form, contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend and adopt the above-referenced regulation sections under the authority provided by Sections 17070.35 and 17075.15 of the Education Code. The proposals interpret and make specific reference to Sections 17076.10, 17077.40, 17077.42 and 17077.45 of the Education Code.

INFORMATIVE DIGEST/POLICY OVERVIEW STATEMENT

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill 50, Chapter 407, Statutes

of 1998, the School Facility Program (SFP). The SFP provides a per-pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by the Office of Administrative Law and filed with the Secretary of State on October 8, 1999.

The State Allocation Board (SAB), at its February 27, 2008 meeting, adopted proposed regulatory amendments to the SFP Regulations to clarify the requirements of non-profit organizations to qualify as "Joint-Use Partners" in the School Facility Joint-Use Program, clarify program requirements regarding the use of local bond measure funds, and to change the application filing timeframes.

The proposed regulatory amendments are summarized as follows:

Existing Regulation Section 1859.2 provides definitions that are essential to these regulations. The proposed amendments add three criteria for a "Non-Profit Organization" to qualify for Joint-Use Program funding:

1. its source of funds being contributed to the project must be independent of the partner school district; and
2. it is a recognized nationally chartered organization, or has no more than one common board member, ex-officio board member, officer, management or staff, regardless of authority to vote, and whether employee, contractor, or agent; and
3. it must operate community programs or services aside from those for the school district, and pay for the additional ongoing operational costs or program services associated with the joint-use purposes and/or a minimum of 25 percent of the Joint-Use Project's cost.

Existing Regulation Section 1859.121 describes the time periods for submittal and SAB approval of applications for Joint-Use Project funding. The proposed amendment changes the annual application deadline from May 31 of each year to March 1 beginning in 2009, and clarifies that the SAB will apportion the funding made available based upon the SFP regulations in effect at the time of application submittal.

Existing Regulation Section 1859.122 sets forth the Type I Joint-Use project eligibility and application filing criteria. The proposed amendments change "non-profit organization" to "Non-Profit Organization" to clarify that it is subject to the definition in Regulation Section 1859.2.

Existing Regulation Section 1859.127 provides that a local matching share must be contributed toward the

Joint-Use Project equal to the funding provided by the State, and specifies a Joint-Use Partner contribution. As an exception, a school district may opt to provide up to the full 50 percent local share of eligible costs if it has passed a local bond for the Joint-Use Project. The proposed amendments modify this exception as follows:

- For local bonds authorized prior to February 27, 2008, three permissible ways are specified in which the bond language must identify the joint-use project.
- For local bonds authorized on or after February 27, 2008, the measure approved by the voters must contain an acknowledgement that the proceeds will or may be used for “joint-use” purposes (term must be in the bond language) and the joint-use project(s) must be identified by at least either the specific facility type requested and/or the specific school site.

Existing Regulation Section 1859.129 sets forth specific required time limits for district progress toward the completion of Joint-Use Projects. The proposed amendments require the SAB to review Type II Joint-Use Projects if the final submittal of Division of the State Architect approved plans shows a five percent or more reduction in square footage from the preliminary plans, for the purpose of decreasing the State apportionment commensurate to the square footage percentage reduction.

Existing Form SAB 50-07, *Application for Joint-Use Funding*, is the form used by school districts to apply for funding for qualifying Joint-Use Projects. The proposed amendments add document submittal requirements and data fields regarding local bond measures, Non-Profit Organizations, Joint-Use partners, and other necessary project information.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulations do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulations.

ECONOMIC IMPACT

The Executive Officer of the SAB has assessed the potential for significant adverse economic impact on businesses or private persons that might result from the proposed regulatory action and the following deter-

minations have been made relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- There will be no impact in the creation or elimination of jobs within the State, the creation of new businesses or the elimination of existing businesses or the expansion of businesses in California.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non-discretionary costs or savings to local agencies.
- There will be no costs to school districts except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- There are no costs or savings to any State agency.
- The SAB has made an initial determination that there will be no impact on housing costs.

EFFECT ON SMALL BUSINESSES

It has been determined that the adoption of the regulation sections will not affect small businesses in the ways identified in subsections (a)(1)-(4) of Section 4, Title 1, CCR. These regulations only apply to school districts for purposes of funding school facility projects.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, e-mail or fax must be received at the OPSC no later than June 30, 2008, at 5:00 p.m. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, e-mail or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Robert Young, Regulations
Coordinator

Mailing Address: Office of Public School
Construction
1130 K Street, Suite 400
Sacramento, CA 95814

E-mail Address: robert.young@dgs.ca.gov

Fax No.: (916) 445-5526

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in ~~strikeout~~/underline.
2. A copy of this notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.
4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received, they will be added to the rulemaking file. The file is available for public inspection at the OPSC during normal working hours. Items 1 through 3 are also available on the OPSC Internet Web site at: <http://www.opsc.dgs.ca.gov> under "Regulations," then click on "Proposed Regulations."

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Robert Young at (916) 445-0083. If Mr. Young is unavailable, these questions may be directed to the backup contact person, Lisa Jones, Supervisor, Regulations Team, at (916) 322-1043.

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SAB would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulations substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulation should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15-day period.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the Web site listed above.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulations with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

TITLE 16. DEPARTMENT OF CONSUMER AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Consumer Affairs (hereinafter "department") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at 1625 N. Market Blvd, Trinity Room, Suite S 307, Sacramento, California 95834, at 9:00 a.m., on June 30, 2008. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the department at its office not later than 5:00 p.m. on June 30, 2008 or must be re-

ceived by the department at the hearing. The department, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 87300 and 87307 of the Government Code, and to implement, interpret or make specific Section 87302 of said Code, the department is considering changes to Chapter 2 of Division 38 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend section 3830.

Section 87300 of the Government Code is part of Proposition 9, The Political Reform Act of 1974. That section requires each state agency to adopt a Conflict of Interest Code which must contain, among other things, the following:

- (a) Specific enumeration of the positions within the agency which involve making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. Persons holding those positions are called "designated employees."
- (b) Requirements that each designated employee file annual statements disclosing reportable investments, interests in real property and income. The Conflict of Interest Code must specify the investments, interests and income which are reportable for each designated position.

The Department of Consumer Affairs adopted a Conflict of Interest Code containing the above-noted provisions in 1977, which was last amended in 2003.

These proposed changes would update the existing Conflict of Interest Code primarily by modifying the list of designated employees. A number of employees who were not previously required to file annual financial disclosure statements would now be required to file them. A small number of currently designated positions would be deleted.

The proposed changes would also amend the disclosure categories which set forth the types of investments, interests in real property and income which must be re-

ported by designated employees. A number of disclosure categories were combined, reducing the number of disclosure categories from eleven to seven.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The department has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses:

The department has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The department has determined that the proposed regulations would not affect small businesses because the regulations pertain to designated employees who make or participate in the making of a governmental decision. These designated employees will be required to submit annual financial disclosure statements.

CONSIDERATION OF ALTERNATIVES

The department must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS
AND INFORMATION

The department has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Division of Legal Affairs, Department of Consumer Affairs, 1625 N. Market Blvd., Suite S 309, Sacramento, California 95834.

AVAILABILITY AND LOCATION OF
THE FINAL STATEMENT OF REASONS
AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below.

CONTACT PERSON

Any inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Albert Balingit
Address: 1625 N. Market Blvd.,
Suite S 309
Sacramento, California 95834
Telephone No.: (916) 574-8220
Fax No.: (916) 574-8624
E-Mail Address: Albert_Balingit@dca.ca.gov

The backup contact person is:

Name: Imelda Galang
Address: 1625 N. Market Blvd.,
Suite S 309
Sacramento, California 95834
Telephone No.: (916) 574-8220
Fax No.: (916) 574-8623
E-Mail Address: Imelda_Galang@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.dca.ca.gov.

TITLE 22. OFFICE OF
ENVIRONMENTAL PROTECTION
AGENCY

CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT

NOTICE OF PROPOSED RULEMAKING

TITLE 22, CALIFORNIA CODE
OF REGULATIONS

AMENDMENT TO SECTION 12805
SPECIFIC REGULATORY LEVELS:
CHEMICALS CAUSING
REPRODUCTIVE TOXICITY

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment proposes to establish a specific regulatory level having no observable effect for one chemical: di-*n*-hexyl phthalate (DnHP), and amend Title 22, California Code of Regulations, Section 12805¹.

PUBLIC PROCEEDINGS

Any written statements or arguments regardless of the form or method of transmission must be received by OEHHA by 5:00 p.m. on **Monday, June 30, 2008**, which is hereby designated as the close of the written comment period.

Written comments regarding this proposed action can be sent by e-mail, mail or by fax addressed to:

Susan Luong
Office of Environmental Health Hazard Assessment
Proposition 65 Implementation Program
P.O. Box 4010
Sacramento, California 95812-4010
FAX: (916) 323-8803
Telephone: (916) 445-6900
sluong@oehha.ca.gov

Comments sent by courier should be delivered to:

Susan Luong
Office of Environmental Health Hazard Assessment
1001 I Street, 19th Floor
Sacramento, California 95814

It is requested but not required that written statements or arguments be submitted in triplicate.

¹ All further regulatory references are to Title 22 of the California Code of Regulations unless otherwise indicated.

A public hearing to present oral comments will be scheduled only upon request. Such request must be submitted in writing no later than 15 days before the close of the comment period on June 30, 2008. The written request must be sent to OEHHA at the address listed below no later than Friday, **June 16, 2008**. A notice for the public hearing, if one is requested, will be mailed to interested parties who are on the Proposition 65 mailing list for regulatory public hearings and posted on the OEHHA web site at least ten days in advance of the public hearing date. The notice will provide the date, time, location and subject matter to be heard.

If a hearing is scheduled and you have special accommodation or language needs, please contact Susan Luong at (916) 445-6900 or sluong@oehha.ca.gov at least one week in advance of the hearing. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service

CONTACT

Please direct inquiries concerning the substance and processing of the action described in this notice to Susan Luong, in writing at the address given above, or by telephone at (916) 445-6900. Ms. Cynthia Oshita is a back-up contact person for inquiries concerning processing of this action and is available at the same telephone number.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 et seq. and commonly known as Proposition 65 (hereinafter Proposition 65 or the Act), prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the State to cause cancer or reproductive toxicity, without first giving clear and reasonable warning to such individual (Health and Safety Code section 25249.6). The Act also prohibits a business from knowingly discharging a listed chemical into water or onto or into land where such chemical passes or probably will pass into any source of drinking water (Health and Safety Code section 25249.5).

For chemicals known to the state to cause reproductive toxicity, an exemption from the warning requirement is provided by the Act when a person in the course of doing business is able to demonstrate that an exposure for which the person is responsible produces no observable reproductive effect, assuming exposure at 1,000 times the level in question (Health and Safety Code sections 25249.9, 25249.10 and 25249.11). The

maximum dose level at which a chemical has no observable reproductive effect is referred to as the no observable effect level (NOEL). The Act also provides an exemption from the prohibition against discharging a listed chemical into sources of drinking water if the amount discharged does not constitute a "significant amount," as defined, and the discharge is in conformity with all other laws and regulatory requirements (Health and Safety Code sections 25249.9 and 25249.11). Thus, these exemptions apply when the exposure or discharge in question is at a level that does not exceed the NOEL divided by 1,000.

Regulations previously adopted by the Office of Environmental Health Hazard Assessment (OEHHA) provide guidance for determining whether an exposure to, or a discharge of, a chemical known to cause reproductive toxicity meets the statutory exemption (Title 22, California Code of Regulations, sections 12801-12821). These regulations provide three ways by which a person in the course of doing business may make such a determination: (1) by conducting a risk assessment in accordance with the principles described in Section 12803 to derive a NOEL, and dividing the NOEL by 1,000; or (2) by application of the specific regulatory level adopted for the chemical in Section 12805; or (3) in the absence of such a level, by using a risk assessment conducted by a state or federal agency, provided that such assessment substantially complies with Section 12803(a). The specific regulatory levels in Section 12805 represent one one-thousandth of the NOEL.

This proposed regulation sets forth a maximum allowable dose level (MADL) for adoption into Section 12805 that was derived using scientific methods outlined in Section 12803.

Details on the basis for the proposed level are provided in the reference cited below, which are also included in the rulemaking record. The reference is a risk assessment document prepared by OEHHA describing and summarizing the derivation of the regulatory level listed below.

The proposed regulation would adopt the following regulatory level for one chemical known to cause reproductive toxicity into Section 12805:

Chemical	MADL, in units micrograms per day	Reference
Di- <i>n</i> -hexyl phthalate (DnHP)	2,200	OEHHA (2008)

The risk assessment which was used by the Office of Environmental Health Hazard Assessment to determine the stated level is as follows:

Office of Environmental Health Hazard Assessment (OEHHA, 2008). Proposition 65 Maximum Allowable

Dose Level (MADL) for Reproductive Toxicity for Di-*n*-hexyl phthalate (DnHP). OEHHA Reproductive and Cancer Hazard Assessment Section, California Environmental Protection Agency, Sacramento, May, 2008.

AUTHORITY

Health and Safety Code Sections 25249.12

REFERENCE

Health and Safety Code Sections 25249.5, 25249.6, 25249.9, 25249.10 and 25249.11.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

OEHHA has determined the proposed regulatory action would not pose a mandate on local agencies or school districts nor does it require reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. The Office of Environmental Health Hazard Assessment has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

COSTS OR SAVINGS TO STATE AGENCIES

OEHHA has determined that no savings or increased costs to any State agency will result from the proposed regulatory action.

EFFECT ON FEDERAL FUNDING TO THE STATE

OEHHA has determined that no costs or savings in federal funding to the State will result from the proposed regulatory action.

EFFECT ON HOUSING COSTS

OEHHA has determined that the proposed regulatory action will have no effect on housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

OEHHA has made an initial determination that the adoption of the regulation will not have a significant statewide adverse economic impact directly affecting

businesses, including the ability of California businesses to compete with businesses in other states.

IMPACT ON THE CREATION, ELIMINATION, OR EXPANSION OF JOBS/BUSINESSES

OEHHA has determined that the proposed regulatory action will not have any impact on the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

OEHHA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed regulation will not impose any requirements on small business. Rather, the proposed regulation will assist small businesses subject to the Act in determining whether or not an exposure for which they are responsible is subject to the warning requirement or discharge prohibition.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), OEHHA must determine that no reasonable alternative considered by OEHHA, or that has otherwise been identified and brought to the attention of OEHHA would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

OEHHA has prepared and has available for public review an Initial Statement of Reasons for the regulation, all the critical information upon which the regulation is based, and the text of the regulation. A copy of the Initial Statement of Reasons, a copy of the text of the regulation and a copy of the risk assessment which was used by OEHHA to determine the MADL are available upon request from OEHHA's Proposition 65 Implementation Program at the address and telephone number indicated

above. These documents are also posted on OEHHA's Web site at www.oehha.ca.gov.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of the proposed action will be made available at least 15 days prior to the date on which OEHHA adopts the resulting regulation. Notice of the comment period on changed regulations and the full text will be mailed to individuals who testified or submitted written comments at the public hearing, whose comments were received by OEHHA during the public comment period, and who request notification from OEHHA of availability of such changes. Copies of the notice and the changed regulation will also be available at the OEHHA's Web site at www.oehha.ca.gov.

FINAL STATEMENT OF REASONS

A copy of the Final Statement of Reasons may be obtained, when it becomes available, from OEHHA's Proposition 65 Implementation Program at the address and telephone number indicated above. The Final Statement of Reasons will also be available at the OEHHA's Web site at www.oehha.ca.gov.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

CALIFORNIA DEPARTMENT OF
FISH AND GAME
CONSISTENCY DETERMINATION
Fish and Game Code Section 2080.1
CESA Tracking No. 2080-2008-002-03

PROJECT: Highway 101 High-Occupancy Vehicle (HOV) Lane Widening Project
LOCATION: Between the Cities of Santa Rosa and Windsor, Sonoma County
NOTIFIER: Jeffrey G. Jensen, California Department of Transportation

BACKGROUND

The Highway 101 HOV Lane Widening Project (the Project) is located along Highway 101 in Sonoma County, between Steele Lane in Santa Rosa and Wind-

sor River Road in Windsor (post mile 21.7 to 29.3). Construction of the Project will complete one of the remaining portions of the planned continuous Highway 101 HOV system, which will reduce traffic congestion, and address existing roadway and operational deficiencies. The total Project area is approximately 253 acres, including all staging areas. All of the land to be converted to transportation structure is existing state-owned right of way. Project construction includes the following activities: widen Highway 101 from four lanes to six lanes; widen the shoulders of Highway 101; modify and add new drainage structures; widen, extend, and add auxiliary lanes; modify interchanges; modify bridges at Mark West Creek, Poole Creek, and Pruitt Creek; realign and reconstruct ramps; and construct retaining walls and sound walls.

The portion of Mark West Creek where widening between the northbound and southbound bridge decks is proposed is known to have populations of Central California Coast (CCC) coho salmon (*Oncorhynchus kisutch*), in addition to other salmonids. CCC coho is listed as an endangered species under both the federal Endangered Species Act (ESA) (16 U.S.C. § 1531 *et seq.*) and the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*). While the stretch of Mark West Creek that is located within the Project area is considered to be low quality habitat due to the lack of vegetative overstory and elevated water temperatures, it may function as a migratory corridor for late juvenile outmigrants and as rearing habitat for juveniles. To accommodate temporary access for construction of the new bridge deck, Mark West Creek may have to be diverted if water is present late in the season. Diversion/dewatering activities necessary to implement the Project could result in take of CCC coho as a result of relocation attempts, and individuals being stranded during dewatering activities.

Because the Project has the potential to take a species listed under ESA, the California Department of Transportation (Caltrans), acting on behalf of the Federal Highway Administration, consulted with the National Oceanic and Atmospheric Administration National Marine Fisheries Service (NMFS) under Section 7 of the ESA. On October 18, 2007, NMFS issued a Biological Opinion (Ref. No. 2007/06099:DHW)(BO), which describes the Project, including conservation measures developed to minimize impacts to CCC coho, and sets forth measures to mitigate any remaining impacts to CCC coho or its habitat. On April 4, 2008, the BO was amended (Ref. No. 2008/01830:DHW) to include additional measures regarding funding assurances and mitigation for impacts to CCC coho. On April 9, 2008, the Director of the Department of Fish and Game (DFG) received correspondence from Jeffrey G. Jensen, on behalf of Caltrans, requesting a determination pursuant to

section 2080.1 of the Fish and Game Code that the amended BO, including its incidental take statement (ITS), is consistent with CESA.

DETERMINATION

DFG has determined that the BO as amended on April 4, 2008, including its ITS, is consistent with CESA because the mitigation measures therein meet the conditions set forth in Fish and Game Code section 2081, subparagraphs (b) and (c), for authorizing the incidental take of CESA-listed species. Specifically, DFG finds that take of CCC coho will be incidental to an otherwise lawful activity (*i.e.*, construction and operation of the roadways), the mitigation measures identified in the BO and required by the ITS will minimize and fully mitigate the impacts of the authorized take of CCC coho, and the Project will not jeopardize the continued existence of the species. The avoidance, minimization, and mitigation measures in the BO as amended include, but are not limited to, the following:

Coho Avoidance:

- Work in the riparian area will be limited to the period of June 15th through October 31st annually.

Coho Mortality Minimization:

- Caltrans shall provide NMFS with a “Dewatering and Fish Relocation Plan” for review 30 days prior to the start of dewatering and fish relocation activities. This plan shall outline cofferdam construction, channel diversion construction design and methods, dewatering, and fish relocation methods.
- Caltrans shall retain a qualified biologist with expertise in the areas of anadromous salmonid biology, including handling, collecting, and relocating salmonids; salmonid/habitat relationships; and biological monitoring of salmonids. Caltrans shall ensure that all biologists working on this project be qualified to conduct fish collections in a manner which minimizes potential risks to listed salmonids.
- A Statement of Qualifications for all biologists who will be employed on the project shall be provided to NMFS for review 30 days prior to any onsite project construction (or demolition) related activities. The biologist shall monitor the construction site during placement and removal of cofferdams and channel diversion-related activities to ensure that any adverse effects to CCC coho are minimized. The biologist shall be on site during all dewatering events to ensure that all listed salmonids are captured, handled, and relocated safely.

- Electrofishing, if used, shall be performed by a qualified biologist and conducted according to the “Fisheries Guidelines for Electrofishing Waters Containing Salmonids Listed under the Endangered Species Act”, June 2000.
- CCC coho shall be handled with extreme care and kept in water to the maximum extent possible during relocation activities. All captured fish shall be kept in cool, shaded, aerated water protected from excessive noise, jostling, or overcrowding any time they are not in the stream and fish shall not be removed from this water except when released. The biologist shall have at least two containers and segregate young-of-year salmonids from older salmonids as a method of minimizing predation on smaller fish by larger fish and other potential aquatic predators. Captured salmonids shall be relocated as soon as possible to a location at least 300 meters downstream of the project area which has suitable habitat conditions, and which allows for maximum survival of the transported salmonids.
- Pumps used to dewater the work area shall be equipped with screens that meet the following NMFS fish screening criteria:
 - a. Perforated plate: screen openings shall not exceed 3/32 inches (2.38 mm), measured in diameter.
 - b. Woven Wire: screen openings shall not exceed 3/32 inches (2.38 mm measured diagonally).
 - c. Screen material shall provide a minimum of 27% open area.
 - d. Approach velocity shall not exceed 0.33 feet per second.

Reporting:

- Caltrans shall provide NMFS with an annual summary report within 90 days of the completion of fish relocation and monitoring activities each year. The report shall include the methods used during the fish relocation and monitoring efforts, location, number and species captured, number of mortalities by species, and other pertinent information related to the monitoring and fish relocation activities.

Coho Habitat Mitigation Plan:

- Temporarily impacted riparian habitat shall be replaced at a 1:1 ratio. Each riparian tree greater than 4 inches diameter at breast height that is removed or damaged shall be replaced with native riparian trees in a riparian area at a 3:1 ratio. Each non-native riparian tree that is removed or damaged shall be replaced with a native riparian tree at a 1:1 ratio. A mitigation and monitoring

plan, including success criteria and a five-year monitoring plan shall be submitted to DFG and NMFS for review and approval prior to construction.

Coho Take Mitigation Plan:

- Prior to project impacts, Caltrans shall provide a Habitat Mitigation Plan (Plan) to DFG for review and approval. The Plan shall identify either: (1) a CCC coho habitat restoration project within the Project watershed that Caltrans will partially or fully fund, such as a barrier removal or a coho rearing pool habitat enhancement project that fully mitigates the Project's impacts to coho; or (2) if no project to which Caltrans can contribute funds can be identified in the Plan acceptable to DFG, then the Plan shall identify a restoration, enhancement, or barrier removal project to be funded and implemented by Caltrans. Caltrans shall not commence Project construction activities that could impact CCC coho or its habitat until it obtains DFG approval of the Plan.

Ensured Funding:

- Prior to any Project activities that could incidentally take CCC coho, Caltrans shall provide DFG with written documentation that Caltrans has allocated sufficient funds, acceptable to and approved by DFG, in the Expenditure Authorization for the Project to ensure implementation of measures to minimize and fully mitigate coho take.

Based on this consistency determination, Caltrans does not need to obtain authorization from DFG under CESA for take of CCC coho that occurs in carrying out the Project, provided Caltrans implements the Project as described in the BO as amended (including the Conservation Measures), and complies with the mitigation measures and other conditions described in the BO and ITS, including the amendment. However, if the Project as described in the BO as amended, including the mitigation measures therein, changes, or if NMFS amends or replaces the BO, Caltrans will need to obtain from DFG a new consistency determination (in accordance with Fish and Game Code section 2080.1) or an incidental take permit (in accordance with Fish and Game Code section 2081).

DEPARTMENT OF FISH AND GAME

Department of Fish and Game —
Public Interest Notice

For Publication May 16, 2008

PROPOSED RESEARCH ON FULLY
PROTECTED SPECIES

Monitoring California Clapper Rail and Yuma
Clapper Rail in California

The Department of Fish and Game ("Department") received a proposal on December 15, 2006, from Mr. Thomas P. Ryan, Pasadena, requesting authorization to take California Clapper Rail (*Rallus longirostris obsoletus*), and Yuma Clapper Rail (*R. l. yumanensis*), Fully Protected Bird species, for research purposes, consistent with the protection and recovery of these species.

The applicant is in possession of the required Scientific Collecting Permit (SCP) to take protected species of wildlife. Permit conditions require that the holder of an SCP obtain special authorization from the Department for research on Fully Protected species. The proposed activities include conducting surveys using playback of recorded vocalizations for both California Clapper Rail and Yuma Clapper Rail, following standardized and federally approved monitoring protocols. The Department intends to issue, under specified conditions, a Letter Permit that will authorize the applicant to carry out the proposed activities. As these species are also federally-listed under the Endangered Species Act, the applicant is required to possess a valid Federal Threatened and Endangered Species permit.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected Birds after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected Birds, it will issue the authorization on or after June 16, 2008, for a term of three years. Contact: Wildlife Branch, 1812 Ninth Street, Sacramento, CA 95811, Attn.: Dale Steele.

**DEPARTMENT OF TOXIC SUBSTANCES
CONTROL**

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES
CONTROL**

**Final Decision to Recertify
Hazardous Waste Environmental Technology**

The California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) has reached a final decision to recertify the following hazardous waste environmental technology:

The SCIGEN NEUTRALEX technology for treating aqueous formaldehyde in 10% neutral buffered Formalin waste resulting from histopathology tissue specimen preservation and automated processor activities.

Applicant: SCIGEN, Inc.
333 East Gardena Blvd
Gardena, California 90249

Section 25200.1.5., Health and Safety Code, authorizes DTSC to certify the performance of hazardous waste environmental technologies. DTSC certifies only technologies which are determined to not pose a significant potential hazard to the public health and safety or to the environment when used under specified operating conditions.

Due to the current budget shortfall for the State of California, and associated budget uncertainty, DTSC is not accepting any new applications into its hazardous waste technology certification program. DTSC considers recertification requests for technologies already certified which have not changed their design, formulation, or operation.

The certification program provides an independent technical evaluation of technologies to identify those meeting applicable quality standards, so as to facilitate regulatory and end-user acceptance and to promote and foster growth of California's environmental technology industry.

DTSC makes no express or implied warranties as to the performance of the manufacturer's product or equipment. The end-user is solely responsible for complying with the applicable federal, state, and local regulatory requirements. Certification does not limit DTSC's authority to require additional measures for protection of public health and the environment.

By accepting certification, the manufacturer assumes, for the duration of certification, responsibility for maintaining the quality of the manufactured equip-

ment and materials and their operation at a level equal to or better than was provided to obtain certification and agrees to be subject to quality monitoring by DTSC as required by the statute under which certification is granted.

DTSC's final decision to re-certify the Scigen Neutralex technology is based on a proposed decision which was subject to a public review and comment period. During the comment period no comments were received.

DTSC has concluded that the Scigen Neutralex technology does not pose a significant potential threat to public health or the environment when used according to the manufacturer's instructions and the conditions in the certification.

Requests for additional information concerning this final decision should be submitted to the following address:

California Environmental Protection Agency
Department of Toxic Substances Control
Office of Pollution Prevention and Green
Technology
P.O. Box 806
1001 I Street, 12th Floor
Sacramento, California 95812-0806
Attn: Dick Jones (916) 322-3292

Background

The Scigen Neutralex technology was originally certified effective June 29, 1997, for a three-year term. The final decision to certify was published in the May 30, 1997, California Regulatory Notice Register, Volume 97, Number 22-Z. The original certification included a description of the technology, the certification statement and associated conditions and limitations, and the technical basis for the original certification decision. These documents are at:

<http://dtsc-cm/TechnologyDevelopment/TechCert/scigen-batch-treat-formaldehyde-techcert.cfm> or may be obtained from DTSC.

Following a re-evaluation and proposed decision with a 30-day public comment period, DTSC published a final decision to recertify the Neutralex technology for another three-year term effective June 10, 2001. A second recertification became effective on March 25, 2005. Reports describing the basis for these recertification decisions are available from DTSC.

DTSC re-evaluated the Neutralex technology, and proposed to recertify the technology for an additional three-year term. The proposed decision was published in the California Regulatory Notice Register, March 21, 2008, Register 2008, Number 12-Z. DTSC has reached a final decision to re-certify the Neutralex technology for an additional three-year term.

Effect on Current Certification Status

Pursuant to Title 22, California Code of Regulations section 68100, the existing certification remained valid during the re-certification. The certification will remain in effect for an additional three-year period from the effective date of this final certification decision.

Basis for Recertification

The previous recertification evaluation included laboratory testing of the effectiveness of Neutralex for treating 10% neutral buffered Formalin wastes, and discussions with end users. According to Scigen, the Neutralex technology has not changed since it was originally certified. For the current recertification evaluation, DTSC staff contacted end users of the Neutralex technology to gather additional information on its performance under the conditions of use at health care facilities.

Staff interviewed twelve Neutralex users. All were satisfied with the product. Most found the directions clear and followed them. Five added extra Neutralex and several extended the contact time to ensure a complete reaction. None of the users had any problems with the technology. A regional health and safety manager representing approximately thirty regional hospitals reported no problems from their use of the technology. Additionally, two of those hospitals completed DTSC's survey and confirmed their satisfaction.

In early certification reviews, DTSC did extensive investigations and lab tests of the Neutralex product. The results were consistently positive. Later reviews used customer interviews and again produced positive results. DTSC has not received nor is aware of any complaints or reports of problems with the Neutralex technology.

Regulatory Considerations

Title 22, California Code of Regulations, Section 67450.20, specifies that treatment of formaldehyde by health care facilities using any technology certified as effective for that purpose is authorized for operation under a grant of conditional exemption. The treatment must be operated pursuant to the conditions imposed on the certification. In addition, the generator conducting the treatment must comply with the conditions of the Conditional Exemption in Section 25201.5 of the Health and Safety Code. The reader should refer to these statutory and regulatory sections for additional information.

Certification Conditions

The conditions of the original certification, published in the May 30, 1997, California Regulatory Notice Register, Volume 97, Number 22-Z remain in effect.

Certification Reference

As a holder of a valid hazardous waste environmental technology certification, Scigen is authorized to use the certification seal (California Registered Service Mark Number 046720) during the term of the certification. Scigen shall cite the certification number and date of issuance in conjunction with the certification seal whenever it is used.

When providing information on the certification to an interested party, Scigen shall at a minimum provide the full text of the original and recertification decisions as published in the California Regulatory Notice Registers.

Duration of the Certification

This recertification is effective thirty days from the publication date of this final notice, and will remain in effect until May 16, 2011 (a period of three years from its effective date), unless it is amended or revoked for cause.

DECISION NOT TO PROCEED

DEPARTMENT OF CORPORATIONS

NOTICE OF DECISION NOT TO PROCEED ON ADMINISTRATIVE REGULATION UNDER THE CORPORATE SECURITIES LAW OF 1968

Pursuant to Government Code Section 11347, the Department of Corporations hereby gives notice that it has decided not to proceed with the proposed amendment of Section 260.204.9 of the Commissioner's rules under the Corporate Securities Law of 1968 (10 C.C.R. § 260.204.9), as published in the California Regulatory Notice Register 2007, No. 41-Z on October 12, 2007. (OAL Notice File No. Z-07-0914-01.)

After a review of the comments received during the public comment period, further consideration of the rulemaking action, and in light of the ongoing actions by federal regulators, the California Corporations Commissioner has determined that the proposed amendment is premature at this time.

Any interested person with questions concerning this rulemaking may contact Karen Fong in the Office of Legislation and Policy at (916) 322-3553 or by e-mail to regulations@corp.ca.gov.

PROPOSITION 65

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65)

NOTICE TO INTERESTED PARTIES May 16, 2008

REQUEST FOR PUBLIC PARTICIPATION NOTICE OF PUBLIC WORKSHOP

PROPOSITION 65 REGULATORY UPDATE PROJECT LABOR CODE MECHANISM REGULATORY CONCEPT

The Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for implementation of Proposition 65 (The Safe Drinking Water and Toxic Enforcement Act of 1986, Health and Safety Code section 25249.5, et. seq., hereafter referred to as Proposition 65 or the Act). As part of its responsibilities related to Proposition 65, OEHHA maintains the regulations implementing the Act. These regulations can currently be found in Title 22 of the California Code of Regulations, sections 12000-14000¹ inclusive, though they will soon be located in Title 27, sections 25000-27000.

There are four mechanisms for listing chemicals under Proposition 65 as specified in Health and Safety Code section 25249.8. OEHHA has previously adopted regulations describing the procedures for listing chemicals via three of the four mechanisms: Section 12305 covers listings by the State's Qualified Experts, Section 12306 covers listings based on authoritative bodies and Section 12902 covers formally required listings. There

are currently no regulations discussing the Labor Code mechanism for listing chemicals.

Chemicals or substances identified by reference to Labor Code sections 6382(b)(1) or 6382(d) as known to cause cancer or reproductive toxicity must be included on the Proposition 65 list. OEHHA is considering adopting a regulation that clarifies the process OEHHA uses to determine whether a chemical or substance has been identified by reference to these Labor Code provisions.

OEHHA is requesting input from stakeholders in the enforcement and business communities, as well as other members of the public, concerning issues that may arise if OEHHA proceeds with such a regulatory proposal. A copy of draft regulatory language is included with this notice for purposes of discussion. This is a pre-regulatory proposal. The language proposed may change substantially prior to it being proposed in a formal regulatory proceeding.

On June 17, 2008 OEHHA will hold a public workshop for the purpose of gathering input from interested parties concerning the issues raised by this regulatory concept. Stakeholders are encouraged to provide input concerning this concept, including alternative regulatory language. The workshop will be held from 10 a.m. to Noon in Room 11 at the Elihu Harris Building, located at 1515 Clay Street in Oakland, California, 94612.

Interested parties may also submit their ideas in writing. In order for comments to be considered at this point in the process, they must be received by 5:00 p.m. on June 27, 2008. If OEHHA proceeds to propose a formal regulation on this issue, additional opportunities for public comment will be provided. All submissions should be directed to:

Carol J. Monahan-Cummings
Chief Counsel
Office of Environmental Health Hazard Assessment
1001 I Street
Sacramento, CA 95812
Or via e-mail to cmcumings@oehha.ca.gov

If you have special accommodations or language needs, please contact Monet Vela at (916) 323-2517 or mvela@oehha.ca.gov by June 10, 2008. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

Possible Regulatory Language (Concept only, this is not a formal regulatory proposal):

Listings by Reference to the California Labor Code

(a) Pursuant to Section 25249.8(a), of the Act, a substance shall be included on the list of chemicals known to the state to cause cancer or reproductive toxicity if it is a substance identified by reference in Labor Code Section 6382(b)(1) or by reference in Labor Code Section 6382(d) as causing cancer or reproductive toxicity.

¹ All further references are to sections of Title 22 of the California Code of Regulations unless noted otherwise.

(b) A substance is identified by reference in Labor Code Section 6382(b)(1) for purposes of subsection (a) and shall be included on the list of chemicals known to cause cancer if the International Agency for Research on Cancer (IARC) has evaluated the carcinogenicity of the substance, and published a document in its series "IARC Monographs on the Evaluation of Carcinogenic Risks to Humans" identifying the substance as a human carcinogen (Group 1) or an animal carcinogen, and classified in either Group 1, 2A, or 2B. If a substance has been evaluated in multiple IARC Monographs, the classification in the most recent Monograph evaluating the substance will be used for this purpose.

(c) A substance is identified by reference in Labor Code Section 6382(d) for purposes of subsection (a) and shall be included on the list of chemicals known to the state to cause cancer or reproductive toxicity as follows:

- (1) Substances listed in 29 Code of Federal Regulations (CFR) part 1910.1200, subpart Z, Toxic and Hazardous Substances, Occupational Safety and Health Administration (OSHA) shall be included on the list if they are regulated by OSHA as carcinogens under the Federal Hazard Communication Standard.
- (2) Substances listed in 29 CFR part 1910.1200, subpart Z, Toxic and Hazardous Substances, Occupational Safety and Health Administration (OSHA) shall be included on the list if they are identified by OSHA as causing reproductive toxicity or developmental toxicity using any words or phrases intended to communicate a risk of reproductive harm, a risk of birth defects, or other harm to the developing conceptus.
- (3) Substances for which a Threshold Limit Value (TLV) for Chemical Substances and Physical Agents in the Work Environment has been established by the American Conference of Governmental Industrial Hygienists (ACGIH) (latest edition) shall be included on the list if a basis for the TLV is in whole or in part a risk of reproductive harm, a risk of birth defects, or other harm to the developing conceptus.
- (4) Substances identified in the latest edition of the National Toxicology Program Report on Carcinogens as known to be human carcinogens or reasonably anticipated to be human carcinogens shall be included on the list.
- (5) Substances identified by the International Agency for Research on Cancer (IARC) in its series "IARC Monographs on the Evaluation of Carcinogenic Risks to Humans" as carcinogens (Group 1) or potential carcinogens (Group 2A or 2B) shall be included on the list. If a substance has

been evaluated in multiple IARC Monographs, the classification in the most recent Monograph evaluating the substance will be used for this purpose.

(d) Any person may petition the lead agency to consider or reconsider listing a substance pursuant to this section. The petition shall identify the substance in question, the provision of subsection (b) or (c) above that provides the basis for listing or delisting pursuant to this section and Health and Safety Code section 25249.8(a).

OAL REGULATORY DETERMINATIONS

OFFICE OF ADMINISTRATIVE LAW

DETERMINATION OF ALLEGED UNDERGROUND REGULATION (Summary Disposition)

**(Pursuant to Government Code Section 11340.5
and Title 1, section 270, of the
California Code of Regulations)**

DEPARTMENT OF CORRECTIONS AND REHABILITATION

To: David Gathings
From: Chapter Two Compliance Unit
Subject: **2008 OAL DETERMINATION NO. 5(S)
(CTU 08-0414-01)**
(Summary Disposition Issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f)(2)(E))

Petition challenging as an underground regulation a Memorandum issued January 9, 2008 by the Sierra Conservation Center

On April 14, 2008, you submitted a petition to the Office of Administrative Law (OAL) asking for a determination as to whether the document you challenge is an underground regulation. The document is a memorandum titled, "Mandatory Kick Out for Clean Up" (Memorandum), issued by the Sierra Conservation Center, a correctional facility within the California Department of Corrections and Rehabilitation.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a "regulation" as defined in Government Code section 11342.600, which should have been, but was not adopted pursuant to the

Administrative Procedure Act (APA).¹ Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment. OAL has neither the legal authority nor the technical expertise to evaluate the underlying policy issues involved in the subject of this determination.

Generally, a rule which meets the definition of a “regulation” in Government Code section 11342.600² is required to be adopted pursuant to the APA. In some cases, however, the Legislature has chosen to establish exemptions from the requirements of the APA. Penal Code section 5058 establishes exemptions expressly for the (CDCR):

(c) The following are deemed not to be “regulations” as defined in Section 11342.600 of the Government Code:

(1) Rules issued by the director applying solely to a particular prison or other correctional facility. . . .

This exemption is called the “local rule” exemption. It applies only when a rule is established for a single correctional institution.

In *In re Garcia* (67 Cal.App.4th 841, 845), the court discussed the nature of a “local rule” adopted by the warden for the Richard J. Donovan Correctional Facility (Donovan) which dealt with correspondence between inmates at Donovan:

The Donovan inter-institutional correspondence policy applies solely to correspondence entering or leaving Donovan. It applies to Donovan inmates in all instances.

. . .

¹ Such a rule is called an “underground regulation” as defined in California Code of Regulations, title 1, section 250, subsection (a):

“Underground regulation” means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in Section 11342.600 of the Government Code, but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA and is not subject to an express statutory exemption from adoption pursuant to the APA.

² “Regulation” means every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

The Donovan policy is not a rule of general application. It applies solely to Donovan and, under Penal Code section 5058, subdivision (c)(1), is not subject to APA requirements.

Similarly, the Memorandum at issue here applies solely to the inmates of the Sierra Conservation Center. It was issued by the Facility Captain of the Mariposa Unit at the Sierra Conservation Center, J. Martinez. Other signatures on the Memorandum are from staff at the Sierra Conservation Center. Inmates housed at other institutions are controlled by that institution’s criteria for mandatory kick out. Therefore, the Memorandum is a “local rule” and is exempt from compliance with the APA.³

Date: April 30, 2008

/s/

Susan Lapsley
Director

/s/

Peggy J. Gibson
Staff Counsel

Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814
(916) 323-6225

³ For this reason, pursuant to subdivision (f)(2)(E) of section 270, this rule which is included in a statutory exemption is the proper subject of a summary disposition letter. California Code of Regulations, Title 1, section 270, subdivision (f) provides:

(f)(1) If facts presented in the petition or obtained by OAL during its review . . . demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be used to conclude that a challenged rule is an underground regulation.

(2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:

(A) The challenged rule has been superseded.

(B) The challenged rule is contained in a California statute.

(C) The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA.

(D) The challenged rule has expired by its own terms.

(E) An express statutory exemption from the rulemaking provisions of the APA is applicable to the challenged rule. (Emphasis added.)

**ACCEPTANCE OF PETITION
TO REVIEW ALLEGED
UNDERGROUND REGULATIONS**

OFFICE OF ADMINISTRATIVE LAW

**ACCEPTANCE OF PETITION TO REVIEW
ALLEGED UNDERGROUND REGULATIONS**

**(Pursuant to title 1, section 270, of the
California Code of Regulations)**

**CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM**

Agency being challenged:

The Office of Administrative Law has accepted the following petition for consideration. Please send your comments to:

Kathleen Eddy, Senior Counsel
Office of Administrative Law
300 Capitol Mall, Ste. 1250
Sacramento, CA 95814

A copy of your comment must also be sent to the petitioner and the agency contact person.

Petitioner:

J.J. Jelincic
3828 Hillcrest Lane
Sacramento, CA 95821

Agency contact:

Marte Castanos
California Public Employees' Retirement System
400 P Street
Sacramento, CA 95814

Please note the following timelines:

Publication of Petition in Notice Register: May 16, 2008

Deadline for Public Comments: June 16, 2008

Deadline for Agency Response: June 30, 2008

Deadline for Petitioner Rebuttal: No later than 15 days after receipt of the agency's response

Deadline for OAL Decision: September 15, 2008

The attachments are not being printed for practical reasons or space considerations. However, if you would like to view the attachments please contact Margaret Molina at (916) 324-6044 or mmolina@oal.ca.gov.

**PETITION TO THE OFFICE OF
ADMINISTRATIVE LAW**
Optional Petition Submission Form

RE: Alleged Underground Regulation

FROM: J.J. Jelincic (Petitioner)

DATE: 4/4/2008

Use of this form is optional. It requests the information required by California Code of Regulations, title 1, section 260, for a petition challenging an alleged underground regulation. Although the use of this form is not required, the mandatory information required by California Code of Regulations, title 1, section 260, including the supporting documentation, *must* be included in your petition. If you create a separate petition, or if you use this form and need to add extra pages, be sure that each page is labeled clearly.

1. Petitioner's Identifying Information:

Your name: J.J. Jelincic
Your address: 3828 Hillcrest Lane
Sacramento CA 95821
Your telephone number: 916-795-9258
Your e-mail: jjjelincic@yahoo.com

2. State agency or department being challenged:

California Public Employees Retirement System

3. Provide a complete description of the purported underground regulation. Attach a written copy of it. If the purported underground regulation is found in an agency manual, identify the specific provision of the manual alleged to comprise the underground regulation. Please be as precise as possible.

CalPERS has adopted a policy (attached) that limits the ability of "Key Access Persons", their spouses and/or domestic partners and "a non-employee if the transaction is for an account in which the Key Access Person has a direct financial interest."

The restrictions go well beyond the authority of CalPERS, those needed to protect CalPERS or industry standards

4. Provide a description of the agency actions you believe demonstrate that it has issued, used, enforced, or attempted to enforce the purported underground regulation.

CalPERS issued the policy; provided training; required employees to sign an acknowledgement and stated that signing it was a condition of employment.

5. State the legal basis for believing that the guideline, criterion, bulletin, provision in a manual, instruction, order, standard of general application, or other rule or procedure is a regulation as defined in Section

11342.600 of the Government Code AND that no express statutory exemption to the requirements of the APA is applicable.

The policy adopted by CalPERS falls within the definition within GC 11342.600.

CalPERS has created a standard procedure which applies to an open class. It is administered by a state agency. There is no statute that exempts the regulation from the Administrative Procedures Act.

In fact, CalPERS has stated that it continues to review who is covered by the regulation. In fact the regulation itself provides for modification of the classifications covered. The regulation cites only one statute as justification and that statute neither provides support for the agency's actions nor exempts the agency from the APA.

6. Provide information demonstrating that the petition raises an issue of considerable public importance requiring prompt resolution.

The regulation adopted interferes with the efficient operation of the public securities market. This area of activity, relative to public markets, is within the jurisdiction of the federal Securities and Exchange Commission and the Commodity Futures Trading Commission. It imposes limits beyond the authority of CalPERS.

It purports to give CalPERS the authority to control the actions of any person acting as a fiduciary on behalf of any "Key Access Person." It makes the private transactions of both employees and non-employees a public record. It requires the reporting of requested permissions even if transactions did not occur or had been denied.

7. (Optional) Please attach any additional relevant information that will assist OAL in evaluating your petition.

I have enclosed a copy of the training material provided. A copy of the forms CalPERS has adopted.

I have enclosed a copy of the questions I submitted relative to the new policy. As of the time of the filing of this petition I have received no response.

8. Certifications:

I certify that I have submitted a copy of this petition and all attachments to the state agency which has issued, used, enforced, or attempted to enforce the purported underground regulation:

Name of person in agency to whom petition was sent:

Fred Buenrostro

Agency: California Public Employees' Retirement System

Address: Lincoln Plaza North
400 Q Street
Sacramento CA 95811

Telephone number: 916 795-3829

I certify that all of the above information is true and correct to the best of my knowledge.

/s/

Signature of Petitioner

Date: 4/4/08

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2008-0321-06

BOARD OF EDUCATION

Community-Based English Tutoring (CBET) Program

This action amends Section 11315 and adopts Sections 11315.5 and 11315.6 in Title 5 to implement S.B. 368 (Stats. 2006, ch. 632) accountability requirements on school districts for continuation of state-funded Community-Based English Tutoring (CBET) programs. This action will require participating school districts to document CBET plan development, record keeping, testing, and accountability requirements, which, upon request, are to be made available to State Board of Education, in accordance with the S.B. 368 legislation.

This is the re-submittal of OAL File No. 2007-0914-01S, which was withdrawn on 10-26-07 to allow State Board of Education to cure necessity and text issues in a second 15-day notice.

Title 5

California Code of Regulations

ADOPT: 11315.5 and 11315.6 AMEND: 11315

Filed 05/05/2008

Effective 06/04/2008

Agency Contact: Debra Strain (916) 319-0860

File# 2008-0414-02

CALIFORNIA CONSERVATION CORPS**Conflict-of-Interest Code**

This is a Conflict of Interest Code filing that was approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2

California Code of Regulations

AMEND: 43000, 43001, 43002, 43003, 43004, 43005, 43006, 43007, 43008, 43009

Filed 05/06/2008

Effective 06/05/2008

Agency Contact: Corey Wilkerson (916) 341-3199

File# 2008-0401-04

CALIFORNIA HORSE RACING BOARD**Authorized Medication**

This regulatory action adds the following drug substances and their specified levels to the listing of authorized medications: stanazolol, nandrolone, boldenone and testosterone.

Title 4

California Code of Regulations

AMEND: 1844

Filed 05/01/2008

Effective 05/31/2008

Agency Contact: Harold Coburn (916) 263-6397

File# 2008-0320-02

COMMISSION ON TEACHER CREDENTIALING**Date of Issuance and Processing Time for Credentials and Permits**

This regulatory action is to implement revisions to Education Code statutes. It reduces from four months to three months the required time within which to process a teacher credentialing application. It also reduces from 75 working days to 50 business days the required time within which the Commission must reach an issuance decision for a credential or permit and notify the applicant. It also repeals three subsections that had been based on the Permit Reform Act.

Title 5

California Code of Regulations

AMEND: 80440, 80443

Filed 05/01/2008

Effective 05/31/2008

Agency Contact:

Tammy A. Duggan (916) 323-5354

File# 2008-0328-01

DENTAL BOARD OF CALIFORNIA**Application for Registered Dental Hygienist in Alternative Practice**

This rulemaking action defines more broadly the Registered Dental Hygienist (RDH) clinical practice settings that will count toward the 2000 hours of RDH clinical practice required for Registered Dental Hygienist in Alternative Practice (RDHAP) licensure. The rulemaking also specifies and incorporates by reference three forms which make up the RDHAP license application packet.

Title 16

California Code of Regulations

AMEND: 1079.2

Filed 05/02/2008

Effective 05/02/2008

Agency Contact: Donna Kantner (916) 263-2300

File# 2008-0428-02

DEPARTMENT OF FOOD AND AGRICULTURE**Light Brown Apple Moth Interior Quarantine**

This emergency regulatory action expands the existing light brown apple moth (LBAM) interior quarantine area by the addition of approximately 17 square miles of San Benito County and Sonoma County.

Title 3

California Code of Regulations

AMEND: 3434

Filed 05/02/2008

Effective 05/02/2008

Agency Contact: Stephen Brown (916) 654-1017

File# 2008-0505-03

DEPARTMENT OF FOOD AND AGRICULTURE**Light Brown Apple Moth Interior Quarantine**

This emergency amendment expands the existing regulated quarantine areas of Solano, Santa Clara, San Mateo and Contra Costa counties with respect to the light brown apple moth (LBAM; *Epiphyas postvittana*) pursuant to the finding of additional pests and the quarantine protocol.

Title 3

California Code of Regulations

AMEND: 3434(b)

Filed 05/07/2008

Effective 05/07/2008

Agency Contact: Stephen Brown (916) 654-1017

File# 2008-0425-01

DEPARTMENT OF FOOD AND AGRICULTURE**Light Brown Apple Moth Eradication Area**

This emergency regulatory action adds the county of San Benito as an additional eradication area with re-

spect to the light brown apple moth (*Epiphyas postvittana*).

Title 3
California Code of Regulations
AMEND: 3591.20
Filed 04/30/2008
Effective 04/30/2008
Agency Contact: Stephen Brown (916) 654-1017

File# 2008-0321-04
DEPARTMENT OF FOOD AND AGRICULTURE
Mediterranean Fruit Fly Interior Quarantine

In this regulatory action, the Department of Food and Agriculture provides for a Mediterranean fruit fly interior quarantine area in the Rolling Hills area of Los Angeles County. This filing is the Certificate of Compliance for four emergency regulatory actions filed in October through December of 2007 which initially established this quarantine area and then expanded this quarantine area.

Title 3
California Code of Regulations
AMEND: 3406(b)
Filed 05/05/2008
Agency Contact: Stephen Brown (916) 654-1017

File# 2008-0321-03
DEPARTMENT OF FOOD AND AGRICULTURE
Mexican Fruit Fly Interior Quarantine

This certificate of compliance makes permanent the prior emergency regulation (OAL file no. 2007-1114-02E) that established approximately 78 square miles in the Escondido area of San Diego County as a quarantine area for the Mexican fruit fly.

Title 3
California Code of Regulations
AMEND: 3417(b)
Filed 05/02/2008
Agency Contact: Stephen Brown (916) 654-1017

File# 2008-0318-04
DEPARTMENT OF INSURANCE
CEA Base/Supplemental Limits Programs

The California Earthquake Authority maintained separate financing for its base-limits and optional-limits (also called, "supplemental limits") programs for providing earthquake insurance. This regulatory action ends the separate financing for the two programs and treats the financing of the two programs as one and the same. This action amends the description of the coverages available under both programs and removes language that restricts the merging of finances for the two programs.

Title 10
California Code of Regulations
AMEND: 2697.6, 2697.61
Filed 04/30/2008
Effective 05/30/2008
Agency Contact:
Lisbeth Landsman-Smith (916) 492-3561

File# 2008-0417-01
DEPARTMENT OF MOTOR VEHICLES
Conflict-of-Interest Code

The Department of Motor Vehicles is amending its conflict of interest code found at section 1, title 13, California Code of Regulations. The amendments were approved for filing by the Fair Political Practices Commission on April 9, 2008.

Title 13
California Code of Regulations
AMEND: 1
Filed 05/01/2008
Effective 05/31/2008
Agency Contact: Randi Calkins (916) 657-8898

File# 2008-0401-05
DEPARTMENT OF PUBLIC HEALTH
Requirements for Lead-based Paint Activities

These regulatory changes implement a new category of persons who may take paint samples, the "Sampling Technician." The regulations also raise the standard for lead-safe work practices.

Title 17
California Code of Regulations
ADOPT: 35004, 35005.1, 35031, 35088, 36050
AMEND: 35001, 35002, 35003, 35005, 35006, 35007, 35008, 35009, 35010, 35012, 35013, 35014, 35015, 35016, 35018, 35019, 35020, 35021, 35022, 35025, 35026, 35027, 35028, 35029, 35030, 35032, 35033, 35034, 35035, 35036, 35037, 35038, 35039, 35040, 35041, 35042, 35043, 35044, 35045, 35046, 35047, 35048, 35049, 35050, 35051, 35052, 35053, 35054, 35055, 35056, 35057, 35061, 35065, 35066, 35067, 35070, 35072, 35076, 35078, 35080, 35081, 35082, 35083, 35085, 35087, 35089, 35091, 35093, 35095, 35096, 35097, 35099, 36000, 36100 REPEAL: 35023
Filed 04/30/2008
Effective 05/30/2008
Agency Contact: Nancy Lightner (916) 323-3724

File# 2008-0429-01
DEPARTMENT OF PUBLIC HEALTH
Skilled Nursing Facility Nursing Staff-to-Patient Ratios

This regulatory action defines terms, sets forth nurse-to-patient staffing ratios, describes documenta-

tion and posting requirements and specifies a procedure for obtaining a waiver of the established ratio for Skilled Nursing Facilities(SNFs). Implementation is contingent on an appropriation in the annual Budget Act or another statute in accordance with Health & Safety Code section 1276.65(i). Amendments added to two sections (72077 and 72329) make them inoperative upon the implementation of two new sections (72077.1 and 72329.1). One subsection in each of these latter two sections states that implementation of the section is contingent on the appropriation. The other new section (72038) contains this same condition.

Title 22

California Code of Regulations

ADOPT: 72038, 72077.1, 72329.1 AMEND: 72077, 72329

Filed 05/06/2008

Effective 05/06/2008

Agency Contact:

Barbara S. Gallaway (916) 440-7689

File# 2008-0409-08

MEDICAL BOARD OF CALIFORNIA

Oral and Written Arguments

In regulations governing physician discipline proceedings, this rulemaking action adds a provision which authorizes the presiding administrative law judge (who facilitates oral arguments presented to the Division panel) or any member of the Panel to ask a party to support its oral argument with a specific citation to the administrative record. It requires that if a respondent (physician) elects to address the Panel directly, he/she shall be put under oath by the administrative law judge. The rulemaking also adopts a new regulation on written briefs which requires that each point made must be stated and summarized by a separate heading and must cite to authority (if applicable), and it requires that any reference to a matter in the record must give the volume and page number or exhibit number.

Title 16

California Code of Regulations

ADOPT: 1364.32 AMEND: 1364.30

Filed 05/07/2008

Effective 06/06/2008

Agency Contact: Kevin A. Schunke (916) 263-2368

File# 2008-0321-08

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Group I — Low-Voltage Electrical Safety Orders

This action updates the California low voltage electrical safety standards to conform with changes result-

ing from a 20 year update in the federal standards addressing the same subject.

Title 8

California Code of Regulations

ADOPT: 2340.2, 2340.5, 2340.8, 2340.10, 2340.12, 2340.14; Article 6, Sections 2360.1 through 2360.5; Sections 2375.7, 2375.25, 2380.1, 2390.10, 2390.20, Article 12, Sections 2400.1, 2400.2; Sections 2418.2, 2418.3, 2418.4, 2418.5, 2418.6, 2420.4, 2420.5, 2420.6, 2420.7, 2473.1, 2473.2, 2480.5, 2480.9, 2484.5, 2484.6; Article 48.1, Sections 2485.1, 2485.2; Sections 2505.2, 2510.8, 2522.20, 2530.120, 2530.121; Article 58.1, Section 2535.1; Sections 2540.11, 2540.11 Figure S-1, 2560.3; Article 74.1, Sections 2562.1 through 2562.7; Article 77.1, Sections 2566.1 through 2566.3; Article 77.2, Sections 2567.1 through 2567.3; Sections 2569.5, 2571.9, 2571.30; Article 83, Sections 2583.1 through 2583.8; Article 84, Sections 2584.1 through 2584.8; Article 85, Sections 2585.1 through 2585.3; Article 86, Sections 2586.1 through 2586.4; Article 87, Sections 2587.1 through 2587.5; Article 88, Sections 2588.1 through 2588.3; Article 89, Sections 2589.1 and 2589.2. AMEND: 2300, 2305.2, 2305.4, 2340.9, 2340.11, 2340.13, 2340.16, Table 2340.16, 2340.17, 2340.18, 2340.21, 2340.22; Article 5, Section 2350.2; Sections 2375.1, 2375.18, Table 2375.18, Sections 2375.19, 2390.1, 2390.24, 2390.41, 2390.81, 2395.3, 2395.5, 2395.6, 2395.23, 2395.25, 2395.32, 2395.42, 2395.44, 2395.45, 2395.57, 2395.58, 2405.1, 2405.2; Article 16, Sections 2420.3; Article 45; Sections 2480.6, 2480.7, 2484.24, 2500.7, 2500.8, 2500.9, 2500.10, 2500.11, 2500.23, 2505.10, 2505.11, 2510.4, 2510.5, 2510.6, 2510.7, 2510.56, 2510.58, 2522.2, 2530.4, 2530.102, 2530.103, 2530.104, 2530.107, 2530.112, 2533.1, 2534.6, 2534.8, 2540.1, 2540.2, 2540.3, 2540.4, 2560.2, 2561.1, 2561.3, 2561.31, 2561.32, 2563.23, 2563.33; Article 77, Section 2565.3; Sections 2568.8, 2568.15, 2569.1, 2569.6, 2569.7, 2569.20, 2569.51; Article 80, Sections 2571.1 and 2571.16. REPEAL: 2340.23, 2350.11, 2390.83, 2395.7, 2395.33, 2395.43, 2395.50, 2480.8, 2522.8 and 2561.50.

Filed 05/05/2008

Effective 05/05/2008

Agency Contact: Marley Hart (916) 274-5721

File# 2008-0422-04

OFFICE OF SPILL PREVENTION AND RESPONSE
Definitions — Contracting for Nontank Vessels

This emergency action readopts an amendment to section 825.05, subchapter 4, title 14, CCR, to continue to allow a nontank vessel to enter into an agreement with an oil spill response organization for coverage in a

small harbor with readiness assured through advance notification of the ship's intention to enter the harbor.

Title 14
California Code of Regulations
AMEND: 825.05
Filed 05/02/2008
Effective 05/02/2008
Agency Contact:
Joy D. Lavin-Jones (916) 327-0910

File# 2008-0318-02
STATE ALLOCATION BOARD
Leroy F. Green School Facilities Act of 1998; Seismic Mitigation

AB 127 (2006) created the Kindergarten through University Public Education Facilities Bond Act of 2006 which was approved by voters (Proposition 1D). Proposition 1D authorized nearly \$200 million for seismic mitigation of the most vulnerable school buildings. This rulemaking action promulgates a definition of the most vulnerable buildings. It also provides that financial-hardship-qualifying school districts may have up to all of their otherwise obligated 50% share of the costs of these seismic mitigations paid for by the state. It exempts two expenses (costs of structural reports and costs of housing displaced students during construction) from funds a school district would otherwise be considered to have available to satisfy its share of cost. The rulemaking also amends a funding application form to add necessary seismic mitigation fund application provisions.

Title 2
California Code of Regulations
AMEND: 1859.2, 1859.61, 1859.81, 1859.82, 1859.83, 1859.202, 1866, Form SAB 50-04 (Rev. 01/08)
Filed 04/30/2008
Effective 04/30/2008
Agency Contact: Robert Young (916) 445-0083

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN DECEMBER 5, 2007 TO
MAY 7, 2008**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of

the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

04/24/08 AMEND: Appendix A
02/25/08 ADOPT: 48, 50, 52 AMEND: 55
01/29/08 AMEND: 1, 6, 90, and Appendix A (Std. Form 400)

Title 2

05/06/08 AMEND: 43000, 43001, 43002, 43003, 43004, 43005, 43006, 43007, 43008, 43009
04/30/08 AMEND: 1859.2, 1859.61, 1859.81, 1859.82, 1859.83, 1859.202, 1866, Form SAB 50-04 (Rev. 01/08)
04/29/08 ADOPT: 1859.190, 1859.191, 1859.192, 1859.193, 1859.193.1, 1859.194, 1859.195, 1859.196, 1859.197, 1859.198, 1859.199 AMEND: 1859.2, 1859.51, 1859.81, Form SAB 50-04 (Revised 01/08), Form SAB 50-05 (Revised 01/08), Form SAB 50-10 (Revised 01/08)
04/24/08 ADOPT: 1183.081, 1183.131, 1183.30, 1183.31, 1183.32 AMEND: 1181.1, 1181.2, 1181.3, 1183, 1183.01, 1183.04, 1183.08, 1183.11, 1183.13, 1183.14, 1183.3, 1188.3
04/10/08 AMEND: 1866, 1866.4.3, 1866.13, Form SAB 40-22 (Rev. 10/07)
04/09/08 AMEND: 18997
03/28/08 ADOPT: 59630
03/24/08 AMEND: 18735
03/19/08 AMEND: 55300
03/19/08 AMEND: 549.90
03/19/08 AMEND: 18200
03/03/08 AMEND: 1859.76, 1859.83, 1859.104.3
02/25/08 AMEND: 549.80
02/25/08 AMEND: 714
01/07/08 AMEND: 1859.2, 1859.43, 1859.50, 1859.51, 1859.81, 1859.106
01/07/08 AMEND: 18531.61
01/03/08 ADOPT: 547.69, 547.70, 547.71
AMEND: 547.69 renumbered as 547.72, 547.70 renumbered as 547.74, 547.71 renumbered as 547.73
12/26/07 AMEND: div. 8, ch. 54, sec. 54300
12/19/07 ADOPT: 18413
12/18/07 ADOPT: 1859.324.1, 1859.330
AMEND: 1859.302, 1859.318, 1859.320, 1859.321, 1859.322, 1859.323, 1859.323.1, 1859.323.2, 1859.324, 1859.326, 1859.328, 1859.329
12/17/07 AMEND: 58700
12/17/07 AMEND: 18351

12/13/07	ADOPT: 18531.2	Title 3	
12/13/07	AMEND: 18530.4	05/07/08	AMEND: 3434(b)
12/13/07	AMEND: 18421.2	05/05/08	AMEND: 3406(b)
12/06/07	AMEND: 649, 649.1 (Renumbered to 649.15), 649.1.1 (Renumbered to 649.16), 649.2 (Renumbered to 649.12), 649.3 (Renumbered to 649.24), 649.7 (Renumbered to 649.35), 649.8 (Renumbered to 649.36), 649.9 (Renumbered to 649.7), 649.10 (Renumbered to 649.22), 649.11 (Renumbered to 649.8), 649.12 (Renumbered to 649.9), 649.13 (Renumbered to 649.23), 649.14 (Renumbered to 649.27), 649.15 (Renumbered to 649.11), 649.16 (Renumbered to 649.30), 649.17 (Renumbered to 649.31), 649.18 (Renumbered to 649.26), 649.20, 649.21, 649.22 (Renumbered to 649.10), 649.71 (Renumbered to 649.25), 649.72 (Renumbered to 649.4), 650.1 (Renumbered to 649.6), 651.1 (Renumbered to 649.1), 651.2 (Renumbered to 649.14), 651.3 (Renumbered to 649.13), 651.4 (Renumbered to 649.34), 651.5 (Renumbered to 649.5), 652.1 (Renumbered to 649.39), 652.2 (Renumbered to 649.40), 653.1 (Renumbered to 649.42), 653.2 (Renumbered to 649.2), 653.3 (Renumbered to 649.41), 653.4 (Renumbered to 649.37), 653.5 (Renumbered to 649.38), 653.6 (Renumbered to 649.61), 654.1 (Renumbered to 649.3), 654.2 (Renumbered to 649.43), 654.3 (Renumbered to 649.46), 654.4 (Renumbered to 649.44), 654.5 (Renumbered to 649.45), 654.6 (Renumbered to 649.47), 655.1 (Renumbered to 649.51), 656.1 (Renumbered to 649.52), 656.2 (Renumbered to 649.54), 656.3 (Renumbered to 649.55), 656.4 (Renumbered to 649.53), 656.5 (Renumbered to 649.56), 656.6 (Renumbered to 649.50), 656.7 (Renumbered to 649.58), 656.8 (Renumbered to 649.57), 657.1 (Renumbered to 649.59), 657.2 (Renumbered to 649.60), 657.3 (Renumbered to 649.62)	04/30/08	AMEND: 3591.20
		04/23/08	AMEND: 6550
		04/21/08	AMEND: 3700
		04/18/08	AMEND: 3434(b)
		04/16/08	AMEND: 3434(b) & (c)
		04/15/08	AMEND: 3433(b)
		04/08/08	AMEND: 3434(b)
		04/02/08	AMEND: 3433(b)
		04/02/08	AMEND: 3433(b)
		04/01/08	ADOPT: 821, 821.1, 821.2, 821.3, 821.4, 821.5 REPEAL: 784, 784.1, 784.2, 800, 800.1, 801, 802
		03/26/08	AMEND: 3434(b)
		03/21/08	AMEND: 3434(b)
		03/19/08	AMEND: 6620
		03/17/08	AMEND: 3434(b)
		03/17/08	AMEND: 3406(b)
		03/17/08	AMEND: 3700(c)
		03/13/08	AMEND: 6860
		03/12/08	AMEND: 3434(b)
		03/12/08	AMEND: 3406(b)
		03/05/08	AMEND: 3875
		03/04/08	AMEND: 3867
		03/03/08	AMEND: 3591.20
		02/22/08	AMEND: 3434(b)
		02/21/08	AMEND: 6393
		02/11/08	AMEND: 3434(b)
		02/08/08	AMEND: 3591.20
		02/04/08	AMEND: 3434(b)
		01/29/08	AMEND: 3700(c)
		01/28/08	AMEND: 3433(b)
		01/28/08	AMEND: 4500
		01/25/08	ADOPT: 6445, 6445.5, 6448, 6448.1, 6449, 6449.1, 6450, 6450.1, 6450.2, 6451, 6451.1, 6452, 6452.1, 6452.2, 6452.3(a), 6452.3(b), 6452.3(c), 6452.3(d), 6452.3(e), 6452.3(f), 6452.4, 6536(a), 6536(b)(1-3), 6536(b)(4)
			AMEND: 6000, 6400, 6450, 6450.1, 6450.2, 6450.3, 6452, 6453, 6502, 6624, 6626, 6784
		01/24/08	AMEND: 1391, 1391.1
		01/22/08	AMEND: 3591.6
		01/22/08	AMEND: 3591.6
		01/22/08	AMEND: 3591.2(a)
		01/22/08	AMEND: 3591.5(a)
		01/18/08	AMEND: 3423(b)
		01/18/08	ADOPT: 3152
		01/11/08	AMEND: 3406(b)

01/10/08	AMEND: 3433(b)	
01/07/08	AMEND: 1180.3.1	
12/26/07	AMEND: 3433(b)	
12/26/07	AMEND: 3963	
12/21/07	AMEND: 3434(b)	
12/20/07	ADOPT: 606	
12/19/07	AMEND: 3700(c)	
12/19/07	AMEND: 3433(b)	
12/10/07	AMEND: 3406(b)	
12/06/07	AMEND: 3589	
Title 4		
05/01/08	AMEND: 1844	
04/08/08	AMEND: 1467	
03/24/08	AMEND: 10177, 10178, 10181, 10182, 10187, 10188, 10189	
02/29/08	ADOPT: 8102, 8102.1, 8102.2, 8102.3, 8102.4, 8102.5, 8102.6, 8102.7, 8102.8, 8102.9, 8102.10, 8102.11, 8102.12, 8102.13, 8102.14, 8102.15 AMEND: 8090, 8091, 8092, 8093, 8094, 8095, 8096, 8097, 8098, 8099, 8100, 8101	
01/22/08	AMEND: 8070, 8072, 8073	
01/10/08	AMEND: 1632	
12/26/07	AMEND: 12002, 12122, 12202, 12203.2, 12222	
Title 5		
05/05/08	ADOPT: 11315.5 and 11315.6 AMEND: 11315	
05/01/08	AMEND: 80440, 80443	
04/21/08	ADOPT: 18134	
04/21/08	ADOPT: 18134	
03/03/08	ADOPT: 9510.5, 9512, 9513, 9514, 9525 AMEND: 9510, 9511, 9515, 9516, 9517, 9518, 9519, 9521, 9522, 9523, 9524, 9527, 9528, 9529, 9530 REPEAL: 9517.1, 9520	
02/28/08	ADOPT: 11969.10, 11969.11 AMEND: 11969.1, 11969.2, 11969.3, 11969.4, 11969.6, 11969.7, 11969.8, 11969.9	
02/25/08	AMEND: 41301	
02/22/08	AMEND: 3051.16, 3065	
12/20/07	ADOPT: 1202 AMEND: 1200, 1204, 1204.5, 1205, 1207, 1207.1, 1207.2, 1207.5, 1209, 1210, 1211, 1211.5, 1215, 1215.5, 1216, 1217, 1218, 1219, 1225	
Title 8		
05/05/08	ADOPT: 2340.2, 2340.5, 2340.8, 2340.10, 2340.12, 2340.14; Article 6, Sections 2360.1 through 2360.5; Sections 2375.7, 2375.25, 2380.1, 2390.10, 2390.20, Article 12, Sections 2400.1, 2400.2; Sections 2418.2, 2418.3, 2418.4, 2418.5, 2418.6, 2420.4, 2420.5, 2420.6, 2420.7, 2473.1, 2473.2, 2480.5, 2480.9,	
	2484.5, 2484.6; Article 48.1, Sections 2485.1, 2485.2; Sections 2505.2, 2510.8, 2522.20, 2530.120, 2530.121; Article 58.1, Section 2535.1; Sections 2540.11, 2540.11 Figure S-1, 2560.3; Article 74.1, Sections 2562.1 through 2562.7; Article 77.1, Sections 2566.1 through 2566.3; Article 77.2, Sections 2567.1 through 2567.3; Sections 2569.5, 2571.9, 2571.30; Article 83, Sections 2583.1 through 2583.8; Article 84, Sections 2584.1 through 2584.8; Article 85, Sections 2585.1 through 2585.3; Article 86, Sections 2586.1 through 2586.4; Article 87, Sections 2587.1 through 2587.5; Article 88, Sections 2588.1 through 2588.3; Article 89, Sections 2589.1 and 2589.2. AMEND: 2300, 2305.2, 2305.4, 2340.9, 2340.11, 2340.13, 2340.16, Table 2340.16, 2340.17, 2340.18, 2340.21, 2340.22; Article 5, Section 2350.2; Sections 2375.1, 2375.18, Table 2375.18, Sections 2375.19, 2390.1, 2390.24, 2390.41, 2390.81, 2395.3, 2395.5, 2395.6, 2395.23, 2395.25, 2395.32, 2395.42, 2395.44, 2395.45, 2395.57, 2395.58, 2405.1, 2405.2; Article 16, Sections 2420.3; Article 45; Sections 2480.6, 2480.7, 2484.24, 2500.7, 2500.8, 2500.9, 2500.10, 2500.11, 2500.23, 2505.10, 2505.11, 2510.4, 2510.5, 2510.6, 2510.7, 2510.56, 2510.58, 2522.2, 2530.4, 2530.102, 2530.103, 2530.104, 2530.107, 2530.112, 2533.1, 2534.6, 2534.8, 2540.1, 2540.2, 2540.3, 2540.4, 2560.2, 2561.1, 2561.3, 2561.31, 2561.32, 2563.23, 2563.33; Article 77, Section 2565.3; Sections 2568.8, 2568.15, 2569.1, 2569.6, 2569.7, 2569.20, 2569.51; Article 80, Sections 2571.1 and 2571.16. REPEAL: 2340.23, 2350.11, 2390.83, 2395.7, 2395.33, 2395.43, 2395.50, 2480.8, 2522.8 and 2561.50.	
	AMEND: 7016(c)	04/11/08
	AMEND: 10116, 10116.1, 10117.1, 10118.1, 10119, 10120, 10121, 10136, 10137, 10225, 10225.1, 10225.2	04/07/08
	ADOPT: 3140, 3141, 3141.1, 3141.2, 3141.3, 3141.4, 3141.5, 3141.6, 3141.7, 3141.8, 3141.9, 3141.10, 3141.11, 3141.12, 3141.13, 3142, 3142.1, 3142.2,	04/01/08

	3143, 3144, 3145, 3146 AMEND: 3000, 3001, 3009, 3094.2, 3120.6, 3137	03/06/08	AMEND: 260.241, 260.241.2 REPEAL: 260.218.5, 260.241.1
03/05/08	AMEND: 1504, 1597	02/22/08	ADOPT: 2695.20, 2695.21, 2695.22, 2695.23, 2695.24, 2695.25, 2695.26, 2695.27, 2695.28
03/05/08	AMEND: 3228		
02/29/08	AMEND: 3270	02/14/08	ADOPT: 2790.8, 2790.9
12/31/07	AMEND: 3650	02/11/08	AMEND: 5101
12/28/07	AMEND: 1604.24	01/14/08	ADOPT: 2844 AMEND: 2840, 2842
12/11/07	ADOPT: 9767.16, 9813.1, 9813.2 AMEND: 9767.1, 9810, 9811, 9812, 9813	01/08/08	ADOPT: 2240.5 AMEND: 2240, 2240.1, 2240.2, 2240.3, 2240.4
12/10/07	ADOPT: 13800	12/27/07	ADOPT: 1436, 1950.314.8
Title 9		12/19/07	AMEND: 2698.82(b), 2698.84, 2698.87, 2698.89.1
03/06/08	AMEND: 10025, 10057, 10515, 10518, 10524, 10545, 10550, 10606, 11014, 11017, 11024, 13070	Title 11	
02/28/08	ADOPT: 7024.9, 7025.4, 7136.4, 7136.5, 7136.6, 7136.7, 7136.8, 7136.9, 7137, 7138, 7179.4, 7179.5 REPEAL: 7136.5	04/14/08	AMEND: 1081
02/13/08	ADOPT: 3100, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3200.170, 3200.180, 3200.190, 3200.210, 3200.220, 3200.225, 3200.230, 3200.240, 3200.250, 3200.260, 3200.270, 3200.280, 3200.300, 3200.310, 3300, 3310, 3315, 3320, 3350, 3360, 3400, 3410, 3500, 3505, 3510, 3520, 3530, 3530.10, 3530.20, 3530.30, 3530.40, 3540, 3610, 3615, 3620, 3620.05, 3620.10, 3630, 3640, 3650 REPEAL: 3100, 3200.000, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3310, 3400, 3405, 3410, 3415	02/29/08	AMEND: 1009, 1070, 1071, 1082, 1083
12/10/07	AMEND: 13035	01/16/08	REPEAL: 1305
12/06/07	AMEND: 9100	12/19/07	ADOPT: 2021
Title 10		12/11/07	AMEND: 300
04/30/08	AMEND: 2697.6, 2697.61	12/10/07	AMEND: 1005, 1007, 1008
04/29/08	ADOPT: 10.19900, 10.19901	Title 13	
04/28/08	AMEND: 310.111	05/01/08	AMEND: 1
03/27/08	AMEND: 2699.6500, 2699.6805, 2699.6803	04/28/08	AMEND: 120.00, 120.01, 120.02, 124.93, 124.95 REPEAL: 120.04
03/20/08	AMEND: 1950.314.8	04/10/08	AMEND: 1202.1, 1202.2, 1232
03/18/08	AMEND: 2498.6	04/07/08	AMEND: 2451, 2452, 2453, 2458, 2461
03/12/08	ADOPT: 2699.402 AMEND: 2699.100, 2699.205, 2699.6600, 2699.6607, 2699.6608, 2699.6613, 2699.6625, 2699.6629, 2699.6813	03/07/08	AMEND: 345.02, 345.06, 345.21, 345.22
		03/04/08	AMEND: 2485
		02/08/08	AMEND: 621, 691, 693, 699
		02/01/08	ADOPT: 1300, 1400, 1401, 1402, 1403, 1404, 1405 REPEAL: 1300, 1301, 1302, 1303, 1304, 1304.1, 1305, 1310, 1311, 1312, 1313, 1314, 1315, 1320, 1321, 1322, 1323, 1324, 1325, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1339.1, 1339.2, 1339.3, 1339.4, 1339.5, 1339.6, 1340, 1341, 1342, 1343, 1344, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1370, 1371, 1372, 1373, 1374, 1375, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1420, 1421, 1422, 1423, 1424, 1425 and Article 15 text.
		12/10/07	AMEND: 553.70
		12/05/07	ADOPT: 2166, 2166.1, 2167, 2168, 2169, 2170, 2171, 2172, 2172.1, 2172.2, 2172.3, 2172.4, 2172.5, 2172.6, 2172.7, 2172.8, 2172.9, 2173, 2174 AMEND: 1956.8, 1958, 1961, 1976, 1978, 2111, 2122, 2136, 2141, Incorporated Test Procedures

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05/02/08 AMEND: 825.05
 04/28/08 ADOPT: 17987, 17987.1, 17987.2, 17987.3, 17987.4, 17987.5
 04/28/08 AMEND: 815.05
 04/25/08 AMEND: 17210.2, 17210.4, 17855.2, 17862, 17867
 04/07/08 AMEND: 228(b)(1)
 04/04/08 AMEND: 27.80
 03/26/08 AMEND: 630
 03/14/08 ADOPT: 13255.1 AMEND: 13055, 13111, 13169, 13255.0, 13255.1, 13255.2, 13576
 03/14/08 ADOPT: 5.79, 5.88, 29.16, 29.91 AMEND: 1.74, 5.80, 5.81, 5.87, 27.90, 27.91, 27.92, 29.15, 29.90, 701
 03/13/08 AMEND: 671
 03/10/08 ADOPT: 18218, 18218.1, 18218.2, 18218.3, 18218.4, 18218.5, 18218.6, 18218.7, 18218.8, 18218.9
 02/28/08 AMEND: 17211.1, 17211.4, 17211.7, 17211.9
 02/28/08 ADOPT: 749.3
 02/19/08 AMEND: 7.50
 02/13/08 ADOPT: 704
 02/11/08 ADOPT: 787.0, 787.1, 787.2, 787.3, 787.4, 787.5, 787.6, 787.7, 787.8, 787.9
 01/29/08 ADOPT: 25202, 25203, 25204, 25205, 25206, 25207, 25208, 25209, 25210, 25211
 01/28/08 ADOPT: 17987, 17987.1, 17987.2, 17987.3, 17987.4, 17987.5
 01/17/08 AMEND: 890
 01/10/08 AMEND: 1670
 01/08/08 AMEND: 251.3
 01/04/08 ADOPT: 11970 AMEND: 11900
 12/28/07 AMEND: 1280
 12/27/07 AMEND: 2.25, 2.30, 5.75, 5.86, 5.93, 5.95, 6.37, 7.50, 8.00, 670.5
 12/26/07 ADOPT: 2990, 2995, 2997 AMEND: 2125, 2518
 12/26/07 AMEND: 2.00
 12/17/07 AMEND: 17210.2, 17210.4, 17855.2, 17862, 17867
 12/17/07 AMEND: 632
 12/14/07 ADOPT: 700.4, 700.5 AMEND: 1.74, 29.15, 116, 300, 551, 705

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04/18/08 AMEND: 3291, 3293
 04/07/08 AMEND: 3173.2
 03/27/08 ADOPT: 2536.1
 03/18/08 ADOPT: 3269 AMEND: 3315
 03/18/08 ADOPT: 3486 AMEND: 3482, 3484, 3485

03/06/08 ADOPT: 3355.2 AMEND: 3030, 3050, 3268.2, 3355, 3355.1
 02/25/08 ADOPT: 3075.4 AMEND: 3000
 02/04/08 ADOPT: 1700, 1706, 1712, 1714, 1730, 1731, 1740, 1747, 1747.5, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1756, 1757, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792
 01/23/08 AMEND: 3190, 3191
 01/17/08 AMEND: 2275
 01/08/08 AMEND: 3282
 12/28/07 ADOPT: 3269.1 AMEND: 3005, 3315, 3341.5
 12/18/07 AMEND: 3052, 3054.1
 12/11/07 AMEND: 176

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05/07/08 ADOPT: 1364.32 AMEND: 1364.30
 05/02/08 AMEND: 1079.2
 04/29/08 AMEND: 1970, 1970.4(a), 1973(b)
 04/24/08 AMEND: 1387.3
 04/24/08 AMEND: 3000
 04/17/08 AMEND: 1399.660
 04/16/08 ADOPT: 973, 973.1, 973.2, 973.3, 973.4, 973.5, 973.6
 04/14/08 AMEND: 1380.1
 04/10/08 AMEND: 4123
 04/01/08 AMEND: 1381.5, 1388, 1388.6, 1392
 03/26/08 AMEND: 3065
 03/24/08 AMEND: 974
 03/18/08 AMEND: 1399.651
 03/12/08 AMEND: 1435.2
 02/19/08 AMEND: 1887.2, 1887.3
 02/15/08 AMEND: 30, 95, 95.2, 95.6
 02/04/08 AMEND: 2751
 02/01/08 ADOPT: 1028.2, 1028.3, 1028.4, 1028.5 AMEND: 1021
 01/11/08 ADOPT: 3340.43 AMEND: 3340.42
 12/27/07 AMEND: 1833.1, 1870
 12/27/07 ADOPT: 1887.13, 1887.14 AMEND: 1816.7, 1887.7
 12/18/07 AMEND: 1707, 1709.1, 1715, 1717, 1746, 1780.1, 1781, 1787, 1790, 1793.8, Form 17M-13, Form 17M-14 REPEAL: 1786
 12/13/07 ADOPT: 1044.4 AMEND: 1044, 1044.1, 1044.3, 1044.5

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04/30/08 ADOPT: 35004, 35005.1, 35031, 35088, 36050 AMEND: 35001, 35002, 35003, 35005, 35006, 35007, 35008, 35009, 35010, 35012, 35013, 35014, 35015, 35016, 35018, 35019, 35020, 35021, 35022, 35025, 35026, 35027, 35028, 35029, 35030, 35032, 35033, 35034,

35035, 35036, 35037, 35038, 35039, 35040, 35041, 35042, 35043, 35044, 35045, 35046, 35047, 35048, 35049, 35050, 35051, 35052, 35053, 35054, 35055, 35056, 35057, 35061, 35065, 35066, 35067, 35070, 35072, 35076, 35078, 35080, 35081, 35082, 35083, 35085, 35087, 35089, 35091, 35093, 35095, 35096, 35097, 35099, 36000, 36100 REPEAL: 35023	Title 18	
04/21/08 AMEND: 54355	04/29/08	AMEND: 25137(c)(1)(D)
04/21/08 AMEND: 93115.4, 93115.6, 93115.10	04/23/08	AMEND: 1620
04/18/08 ADOPT: 93120, 93120.1, 93120.2, 93120.3, 93120.4, 93120.5, 93120.6, 93120.7, 93120.8, 93120.9, 93120.10, 93120.11, 93120.12	04/10/08	AMEND: 1570
04/11/08 ADOPT: 30333.05, 30333.07, 30333.3, 30335.1, 30335.2, 30335.3, 30335.4, 30335.5, 30335.6, 30335.10, 30336.1, 30336.5, 30336.6, 30336.7, 30336.8, 30338 AMEND: 30195.3, 30295, 30330, 30331, 30332, 30332.1, 30332.2, 30332.3, 30332.4, 30332.5, 30332.6, 30332.7, 30332.8, 30333, 30333.1, 30333.2, 30334, 30336, 30337 REPEAL: 30335	02/29/08	AMEND: 25128-1
04/03/08 AMEND: 6508	01/24/08	AMEND: 1699
04/02/08 AMEND: 93119	01/23/08	AMEND: 101, 171
04/02/08 AMEND: 93119	01/23/08	AMEND: 101, 171
03/17/08 ADOPT: 100700	01/07/08	ADOPT: (new Division 2.1) 5000, 5200, 5201, 5202, 5210, 5210.5, 5211, 5212, 5212.5, 5213, 5214, 5215, 5215.4, 5215.6, 5216, 5217, 5218, 5219, 5220, 5220.4, 5220.6, 5221, 5222, 5222.4, 5222.6, 5223, 5224, 5225, 5226, 5227, 5228, 5229, 5230, 5231, 5231.5, 5232, 5232.4, 5232.6, 5232.8, 5233, 5234, 5234.5, 5235, 5236, 5237, 5238, 5239, 5240, 5241, 5242, 5243, 5244, 5245, 5246, 5247, 5248, 5249, 5249.4, 5249.6, 5250, 5260, 5261, 5262, 5263, 5264, 5265, 5266, 5267, 5268, 5270, 5271, 5310, 5311, 5312, 5321, 5322, 5322.5, 5323, 5323.2, 5323.4, 5323.6, 5323.8, 5324, 5324.2, 5324.4, 5324.6, 5324.8, 5325, 5325.4, 5325.6, 5326, 5326.2, 5326.4, 5326.6, 5327, 5327.4, 5327.6, 5328, 5328.5, 5331, 5332, 5332.4, 5332.6, 5333, 5333.4, 5333.6, 5334, 5334.4, 5334.6, 5335, 5335.4, 5334.6, 5336, 5336.5, 5337, 5337.4, 5337.6, 5338, 5338.4, 5338.6, 5340, 5341, 5342, 5343, 5344, 5345, 5410, 5411, 5412, 5420, 5421, 5422, 5423, 5424, 5430, 5431, 5432, 5435, 5440, 5441, 5442, 5443, 5444, 5450, 5451, 5452, 5454, 5460, 5461, 5462, 5463, 5464, 5465, 5510, 5511, 5512, 5521, 5521.5, 5522, 5522.2, 5522.4, 5522.6, 5522.8, 5523, 5523.1, 5523.2, 5523.3, 5523.4, 5523.5, 5523.6, 5523.7, 5523.8, 5530, 5540, 5541, 5550, 5551, 5560, 5561, 5562, 5563, 5570, 5571, 5572, 5573, 5574, 5575, 5576 AMEND: Renumber Division 2.1 to 2.2, renumber Division 2.2 to 2.3, renumber Division 2.3 to 2.4, 5090 (amend and renumber to 5600), 5091 (amend and renumber to 5601), 5092 (amend and renumber to 5602), 5093 (amend and renumber to 5603), 5094 (amend and renumber to 5604), 5095 (amend and renumber to 5605), 5200 (amend and renumber to 5700)
03/10/08 ADOPT: 30704, 30712, 30713 AMEND: 30700, 30701, 30702, 30703, 30710, 30711, 30714, 30720, 30721, 30722, 30723, 30730, 30735, 30736, 30740, 30741, 30750, 30751, 30752, 30753 REPEAL: 30715, 30724, 30734.1		REPEAL: 5010, 5011, 5012, 5020, 5021, 5022, 5023, 5024, 5030, 5031, 5032,
03/04/08 ADOPT: 100400, 100401, 100402, 100403, 100404, 100405, 100406, 100407, 100408, 100409, 100410		
02/19/08 AMEND: 70100.1, 70200		
02/14/08 ADOPT: 30410, 30410.2 AMEND: 30421, 30424, 30445, 30447		
02/13/08 AMEND: 2500, 2502		
02/06/08 ADOPT: 2641.56, 2641.57 AMEND: 2641.5, 2641.30, 2641.35, 2641.45, 2641.55, 2643.5, 2643.10, 2643.15 REPEAL: 2641.75, 2641.77		
02/06/08 ADOPT: 2641.56, 2641.57 AMEND: 2641.5, 2641.30, 2641.35, 2641.45, 2641.55, 2643.5, 2643.10, 2643.15 REPEAL: 2641.75, 2641.77		
01/11/08 AMEND: 60201		
12/27/07 ADOPT: 93109.1, 93109.2 AMEND: 93109		

	5033, 5034, 5035, 5036, 5040, 5041, 5042, 5043, 5050, 5051, 5052, 5053, 5054, 5055, 5056, 5060, 5061, 5062, 5063, 5064, 5070, 5071, 5072, 5073, 5074, 5074.5, 5075, 5075.1, 5076, 5076.1, 5077, 5078, 5079, 5080, 5081, 5081.2, 5082, 5082.1, 5082.2, 5083, 5085, 5086		64634, 64636, 64638, 64640, 64642, 64644
01/04/08	AMEND: 1521	02/06/08	AMEND: 2708(c)–1
01/02/08	AMEND: 1802	02/06/08	AMEND: 2708(c)–1
Title 19		01/08/08	ADOPT: 7107, 7118 AMEND: 7314
04/23/08	ADOPT: 2660 AMEND: 2720, 2723, 2724, 2725, 2726, 2728	12/13/07	ADOPT: 64651.21, 64651.34, 64651.38, 64651.88, 64653.5, 64657, 64657.10, 64657.20, 64657.30, 64657.40, 64657.50 AMEND: 64650, 64651.10, 64651.50, 64651.53, 64651.60, 64652, 64652.5, 64653, 64654, 64655, 64658, 64660, 64661, 64662, 64663, 64664, 64666
02/20/08	AMEND: Division 2, Chapter 4, Article 4, Section 2729.2 and Appendices A I, II, III and Appendices B I, II, III	12/06/07	ADOPT: 97930, 97930.1, 97930.2, 97930.3, 97930.4, 97930.5, 97930.6, 97930.7, 97930.8, 97930.9, 97930.10
02/05/08	REPEAL: 3.33	Title 22, MPP	
02/04/08	AMEND: 208, 209	03/05/08	AMEND: 87101, 87102, 87106, 87107, 87110, 87111, 87112, 87113, 87114, 87115, 87116, 87117, 87118, 87218, 87219, 87219.1, 87220, 87222, 87223, 87224, 87225, 87226, 87227, 87227.1, 87228, 87229, 87230, 87231, 87235, 87236, 87340, 87342, 87342.1, 87343, 87344, 87345, 87346, 87451, 87452, 87453, 87454, 87455, 87455.1, 87457, 87458, 87560, 87561, 87562, 87564, 87564.2, 87564.3, 87564.4, 87564.5, 87565, 87566, 87567, 87568, 87569, 87570, 87571, 87572, 87573, 87574, 87575, 87575.1, 87575.2, 87576, 87577, 87578, 87579, 87580, 87581, 87582, 87583, 87583.1, 87584, 87585, 87586, 87587, 87588, 87589, 87590, 87591, 87592, 87593, 87686, 87689, 87690, 87691, 87692, 87700, 87701, 87701.1, 87701.2, 87701.3, 87701.5, 87702, 87702.1, 87703, 87704, 87705, 87706, 87707, 87708, 87709, 87710, 87711, 87713, 87716, 87716.1, 87720, 87721, 87722, 87724, 87725, 87725.1, 87730, 87730.1, 87730.2, 87731, 87731.1, 87731.2, 87731.3, 87731.4, 87755, 87756, 87757, 87758, 87759, 87761, 87763, 87766, 87768, 87769, 87775, 87777, 87785, 87786, 87787, 87788, 87789, 87791, 87792, 87793 REPEAL: 87725.2
12/18/07	AMEND: 2510, 2520, 2530, 2540, 2550	12/31/07	ADOPT: 86500, 86501, 86501.5, 86505, 86505.1, 86506, 86507, 86508, 86509, 86510, 86511, 86512, 86517, 86518, 86519, 86519.1, 86519.2, 86520, 86521, 86522, 86523, 86524, 86526, 86527, 86528, 86529, 86531, 86531.1, 86531.2, 86534, 86535, 86536, 86540, 86542,
Title 20			
04/15/08	ADOPT: 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, Appendix A		
Title 21			
02/15/08	AMEND: 1575		
01/10/08	AMEND: 6662.5, 6663(b), 6753, 6754(b)(2)		
Title 22			
05/06/08	ADOPT: 72038, 72077.1, 72329.1 AMEND: 72077, 72329		
04/18/08	AMEND: 4410 REPEAL: 4410.5		
04/15/08	AMEND: 50960.2, 50960.4, 50960.6, 50960.9, 50960.12, 50960.15, 50960.21, 50960.23, 50960.26, 50960.29, 50960.32, 50960.34, 50960.36, 50962, 50963, 50964, 50965, 50966		
03/27/08	AMEND: 12705(b)		
03/18/08	AMEND: 12000		
03/03/08	AMEND: 926–3, 926–4, 926–5		
02/28/08	AMEND: 51000.3, 51000.30, 51000.50		
02/08/08	ADOPT: 64551.10, 64551.20, 64551.30, 64551.35, 64551.40, 64551.60, 64551.70, 64551.100, 64552, 64554, 64556, 64558, 64560, 64560.5, 64561, 64570, 64572, 64573, 64575, 64576, 64577, 64578, 64580, 64582, 64583, 64585, 64591, 64600, 64602, 64604 AMEND: 64590, 64593, 64654, 64658 REPEAL: 64417, 64555, 64560, 64562, 64563, 64564, 64566, 64568, 64570, 64600, 64602, 64604, 64612, 64622, 64624, 64626, 64628, 64630, 64632,		

86544, 86545, 86546, 86552, 86553,
86554, 86555, 86555.1, 86558, 86559,
86561, 86562, 86563, 86564, 86565,
86565.2, 86565.5, 86566, 86568.1,
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86572.1, 86572.2, 86574, 86575, 86576,
86577, 86578, 86578.1, 86579, 86580,
86586, 86587, 86587.1, 86587.2, 86588
AMEND: 11-400c, 11-402, 45-101(c),
45-202.5, 45-203.4, 45-301.1

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03/10/08 ADOPT: 3919.2
02/28/08 ADOPT: 3919.1
02/11/08 ADOPT: 3939.27
02/08/08 ADOPT: 3939.28
02/08/08 ADOPT: 3939.30
02/05/08 ADOPT: 3939.29
01/24/08 ADOPT: 3939.31
12/18/07 AMEND: 2621, 2632, 2634, 2635, 2636,
2637, 2638, 2661, 2666, 2711, 2713
12/07/07 ADOPT: 3919
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04/02/08 ADOPT: 7201, 7205, 7205.1, 7205.2,
7205.3, 7206, 7207, 7209, 7211, 7215,
7225, 7231 AMEND: 7200, 7202, 7204,
7206 (renumbered to 7209.5), 7208,

7210, 7212, 7218 (renumbered to 7217),
7220, 7222, 7224, 7226, 7228, 7230,
7232, 7234, 7239 (renumbered to 7201)
REPEAL: 7214, 7216

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AMEND: 6932

12/10/07

ADOPT: 8207.1, 8212.3 AMEND: 8204,
8207, 8208, 8209, 8210, 8211, 8212,
8212.1, 8213, 8216, 8217

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AMEND: 15100, 15110, 15140, 15150,
15160, 15170, 15185, 15186, 15187,
15187.1, 15190, 15200, 15210, 15220,
15230, 15240, 15241, 15250, 15260,
15280, 15290, 15300, 15310, 15330,
15400.2, 15600

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ADOPT: 21815 AMEND: 21780, 21790,
21800, 21820, 21825, 21830, 21840,
21865, 22234, 22240, 22243, 22244,
22246, 22247, 22248, 22249, 22249.5,
22251, 22252, 22253, Division
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AMEND: 15290 (reports 3, 4 & 6),
15400.1, Division 3 — Subdivision 1 —
Chapters 1, 2, 3, 4, 5, 6

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AMEND: 1300.67.60